



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In Re: Application of Gutierrez-Rocca et al.

Ser. No.: 09/055,818

Group Art Unit: 1615

Fil. Dt.: 4/6/98

For: ORAL PHARMACEUTICAL COMPOSITIONS CONTAINING
TAXANES AND METHODS OF TREATMENT EMPLOYING THE SAME

Attorney Docket No.: I-132D

New York, New York
May 27, 1998

APPLICATION BRANCH
Assistant Commissioner for Patents
Washington, D.C. 20231

LATE FILING OF DECLARATION AND FILING FEE

Sir:

Attached hereto for filing in the above-captioned application is the executed declaration of the inventors together with a check in the amount of **\$3,516.00**. Attached in addition is a copy of the Notice to File Missing Parts of Application mailed May 5, 1998.

The enclosed check includes payment for both the \$130.00 surcharge for late filing of the declaration as well as application filing fee of \$3,386.00. The filing fee submitted herewith was calculated as follows:

Basic filing fee	\$790.00
Fee for one independent claim over 3	82.00
Fee for 102 total claims over 20	2,244.00
Surcharge for multiple dependent claim	<u>270.00</u>
Total filing fee	\$3,386.00 ¹

¹ The fee as calculated is slightly higher than the amount set forth on the Notice to File Missing Parts. The notice neglected the additional independent claim in excess of 3 and also indicated that there were 101 claims in excess of 20, whereas there are actually 102 such claims in the application.

If any additional fees are required, please charge them to our deposit account
No. 11-1145.

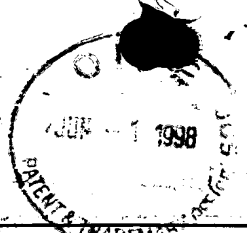
Respectfully submitted,

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By Martin W. Schiffmiller
Martin W. Schiffmiller
Reg. No. 30,421

I hereby certify that this correspondence is
being deposited with the United States Postal
Service as First Class Mail in an envelope
addressed to: Assistant Commissioner for
Patents, Washington, D.C. 20231.

5/27/98 BY Martin W. Schiffmiller
(date) Martin W. Schiffmiller
Reg. No. 30,421



UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

APPLICATION NUMBER	ADEN FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/055,618 04/06/98 GUTIERREZ-ROCCA I-1320

0242/0505

KIRCHSTEIN OTTINGER
 ISRAEL & SCHIFFMILLER
 551 5TH AVE
 NEW YORK NY 10176-0024

BEST AVAILABLE COPY NOT ASSIGNED

DATE MAILED: 1615

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

05/05/98

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ _____.

- ☒ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☐ insufficient.
- Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.
- \$ _____ for _____ independent claims over 3.
- \$ 2222 for 101 dependent claims over 20.
- \$ 270 for multiple-dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
 See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/05/1998 MWILLAR 0000067 09055618
 790.00
 2244.00
 270.00
 62.00
 130.00